

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
February 3, 2020

The Lyndon City Council met in regular session on Monday, February 3, 2020, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Steve Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Steve Morrison and members Lynn Atchison, Kevin Heit, Darin Schmitt, and Katie Shepard (7:12) present. Doug Harty absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; Scott Culley, Public Works; Law Enforcement Supervisor Darrel Manning and Officer David Forkenbrock.

Others Present: Brett Wagonner, Governmental Assistance Services; Wesley Weishaar, BG Consultants; Janice Thomas; Harold Bare; Phil Guyle; Tanner Smith, USD 421 High School Principle; David Middleton; Erika Bradshaw; Ed Beatty; Brandy Engler-Criss; Wade Criqui; Gene Hirt; Carla Sloop and Dave Sloop (7:30).

2. PUBLIC HEARING FOR EVALUATION OF GRANT 17-PF-008/CDBG FUNDING CLOSE OUT: At 7:03 p.m. Schmitt made the motion to open the public hearing for ten minutes to hear any comments relating to the performance of Grant No. 17-PF-0008 for the sewer project. Notice of the hearing was published in The Osage County Herald Chronicle on January 23, 2020. Atchison seconded; motion carried. Brett Wagonner with Governmental Assistance Services stated the purpose of the hearing was to evaluate the grant and briefly gave an overview of the project. Mayor Morrison asked for any comments from Council or the public to which there were none. At 7:06 p.m. Atchison made the motion to close the public hearing. Heit seconded, motion carried.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING:

- a) Schmitt made the motion to approve the regular meeting minutes of January 21, 2020 as amended. Atchison seconded; motion carried.

4. CONSENT AGENDA:

- a) Approval of Bills: Schmitt made the motion to approve the bills as set forth. Heit seconded; motion carried.

5. PUBLIC COMMENTS: Gene Hirt stated he was happy to see the pot holes on the southbound lane being filled by the state. He stated there were potholes in the street on 4th and Washington and also 8th and Cedar that he was going to bring up again, however, stated they were filled this afternoon before the meeting and thanked the Maintenance Supervisor and the crew for taking care of those. Mr. Hirt stated there is one more pothole on 4th Street that needs attention. Mr. Hirt also spoke about some of the sewer issues during the project with backflushing and Mayor Morrison stated the grievances are being taken care of through the contractors on the project.

Carla Sloop spoke with the Council in regards to properties in town that need to be cleaned up and has had some bad feedback from potential buyers thinking of moving into Lyndon. She stated they have a group of people, some in attendance, that want to work alongside of the community to beautify Lyndon. The City Attorney stated there are tickets issued on some of these through Municipal Court, however, it is a slow process.

Ed Beatty spoke in regards to enforcing the codes and ordinances in town regarding inoperable cars, nuisances, etc. He also stated making the fines stiffer for repeat offenders of the ordinances may help.

Erika Bradshaw stated she was in attendance also in regards to unkept properties and had signed a petition about the property on Jefferson. The yards are not mowed and some have been torn up and junk thrown out in the yard. She stated not much has changed and they have not heard anything either. Ms. Bradshaw also stated they have spent a lot of money improving their property and stated there is at least one house on every block that needs attention.

Harold Bare stated they have filed many complaints at the dogs at 514 W 9th, the owners get cited, pay a \$25 fine and the dogs are out again.

Janice Thomas stated she would like the mess across the road to be cleaned up. She and her husband have lived in the community for over 40 years and keeps her yard and property clean. Mrs. Thomas also stated there is a dog problem in her neighborhood and worries about getting her mail. She also stated when they moved to Lyndon it was a great community and worries about its future if things don't change.

Mayor Morrison stated that he does see a future for Lyndon and hopes that the community can come together to create that future. He stated that everyone knows of a house or has one next door to them and that it is a shared problem. Mayor Morrison stated the problem is getting traction to resolve these issues and support to spend taxpayer money to do so. He also stated he doesn't want to see a raise of city taxes to take care of someone else's property that should have been handled in the first place.

Mayor Morrison stated that Ms. Sloop had told him there were people willing to donate time and equipment to aid in cleaning up and asked if that was still on the table. He also stated that these ideas being brought to the Council are solution-based, however, it would be easier if a non-profit group or community group support, these people rather than the government coming in and taking someone's house which would cost twice as much in legal costs than it would to clean up the property.

Wade Criqui stated he came to support Mrs. Sloop and her cause. He stated that he does have equipment and means to help with the issues. Mr. Criqui stated he no longer lives in city limits, however, had lived in two homes in the past dealing with the same issues that have been brought up. He stated he has noticed several abandoned homes that are in bad shape and would be willing to volunteer his time and services to tear down some of them.

David Sloop stated there are people interested in cleaning the town up and believes that there is not anyone in the room that doesn't want to see that. He stated he hopes there is a way this can be done and that he will be there beside Mr. Criqui who has committed his

services to clean up the community. Mr. Sloop said there are several eye sores in town that need to be addressed. He stated he would like Lyndon to have a higher ratio of nicer looking homes than it does and have listened to other communities through his job as a teacher.

Brandy Engler-Criss stated she had recently taken a class and cities are either on a growth path of decline or incline. She stated the farther we let these properties go, the more it is going to cost in the long run to clean them up. Ms. Criss also stated she heard a gentleman speak about Community Development Block Grants and there are funds available to demolish blighted homes in livable neighborhoods and rehabilitation of homes to make them livable with a goal to making them sustainable for 20 years. She stated that we need to utilize these programs and she, like the others in the room, will be donating her time. She encouraged having a clean up day. It was noted the City holds a citywide clean up once a year. Ms. Engler stated that no one ever knows when these things are held and asked how people can find out and it was noted that these events are posted on the city's website and Facebook. Mr. Beatty asked if the City would consider holding two clean ups a year, one in the fall and one in the spring.

The City Clerk stated the Council has looked into CDBG Funding for these issues, however, the city is involved in a sewer project with all three state funding agencies at this time and cannot ask for funds until the project is closed.

Councilmember Heit stated with the minimal cost for citywide cleanup it would be to the benefit of the city to look at having two. Heit also stated that in his line of work that it is hard to get the right to go on to someone's private property to clean it up. He also stated with his job at KDHE they have to go through a very lengthy process and may not still get the right to do so. Administrative hearings are held and if things are not done properly, they will not be allowed to go on the property. Heit also stated that unless it is a danger to health, it is considered private property.

Ms. Engler also stated there has been a noted cat population issue and cats are being fed at the library.

USD 421 Principle Tanner Smith introduced himself as the new principle at the high school. He stated he notice that the school does not have a carpentry program or things like that and would like to see those come back. Mr. Smith stated that unfortunately it is not realistic to budget items for those materials, however, has spoken with other entities about setting up classes for these kids to learn these skills and make a career out of it. He says it benefits the school, the kids, and the community. Mr. Smith stated that he has already started looking into those possibilities for tools and materials. He also stated the school has instituted Tiger Action Days on March 26th and March 27th this year for volunteerism and community service. Mr. Smith noted there will be fliers put out in regards to that project and an invite for the community to contact them on things they might need. He is hoping this will be a way for the school and city to partner up. It was noted that next year they are looking at doing those action days quarterly (every nine weeks) combined with outside public speakers on specific topics.

Harold Bare stated he walked down the street the other day and noticed there are several vacant buildings on main street and asked what the businesses are doing to get businesses

in those buildings. Mayor Morrison stated the city does not have a lot of local tax assessment. The City Attorney stated the County used to have a reduced tax program and they do not do it anymore and the city is a lot lower tax base than the school.

Mayor Morrison stated that he appreciated everyone coming in this evening and speaking with the Council and believes it shows how important this issue is to everyone. He stated it is something we have been working on in the background, however, noted that things do take time and doesn't want it to seem like the issue is hopeless. Mayor Morrison also stated maybe to check with the people who want help and we will continue to work on getting traction on this issue.

6. CORRESPONDENCE TO COUNCIL:

- Public Wholesale Water Supply District Meeting Minutes of January 15, 2020.

7. UNFINISHED BUSINESS:

- a) SERVER PURCHASE - ADVANTAGE COMPUTER: The City Clerk stated she does have to replace the server due to its age and operating system. She received a quote from Advantage Computer to replace the server in the amount of \$6,275.00. Heit made the motion to approve the purchase of the new server funding \$5000 from the Capital Outlay Fund in General and the remaining \$1,275.00 from the Equipment Reserve Fund. Schmitt seconded; motion carried.
- b) MUSCO LIGHTING CONTRACT FOR BALLFIELD LIGHTS AT JONES PARK:
The Mayor stated he has spoken with Brad Thompson several times and also spoke to Tom at Brandy Electric who have worked together on over 150 projects together. After speaking with both of them, the Mayor feels that things are well in order, details have been discussed as far as scope of work, and that everyone is on the same page. Mayor Morrison stated that there is the issue of drilling for the bases that the concrete piers sit on with the unknown possibility of hitting rock. If they have to have someone come in and core drill the site, it will be at an unknown additional cost. The Mayor asked if there was a way to get an idea and it was noted there is a contractor, they use quite often who had done some work around the area and they would call and get his opinion. They also would be able to provide an estimated cost before any work started. After a lengthy discussion, Schmitt made the motion to approve and authorize the Mayor to sign the contract with Musco Lighting in the amount of \$237,000. Shepard seconded; motion carried.
- c) BRANDY ELECTRIC CONTRACT FOR BALLFIELD LIGHTS AT JONES PARK:
Schmitt made the motion to approve and authorize the Mayor to sign the contract with Brandy Electric in the amount of \$112,000 for installation of the lighting system. Shepard seconded; motion carried.

8. NEW BUSINESS:

- a) FLOOD INSURANCE ANNUAL RENEWAL: The City Clerk stated that the renewal for flood insurance for the community center is due and stated in the past the city has chosen option two, which is the lower of the offered coverage. Last year the city paid approximately \$2500 and it has again increased. Atchison made the motion to approve the flood insurance renewal option 2 in the amount \$3,081.00. Heit seconded; motion carried.
- b) ANNUAL MAINTENANCE AGREEMENT FOR GORMAN RUPP LIFT STATION: The Maintenance Supervisor stated these are the most important pieces of equipment at the new sewer headworks facility and the importance of maintenance. It was noted this will need to be added to the budget as an annual expense. Atchison made the motion to approve the annual preventative maintenance agreement with Haynes Equipment in the amount of \$1300.00 and expensed from the Sewer Fund contractual line item. Heit seconded; motion carried.
- c) 10-YEAR DUROLAST ROOF INSPECTION: The Duro-Last roof on city hall has a 20-year warranty dated 9/10/2009 and is due for the 10-year inspection which is required to keep the warranty intact. Heit made the motion to approve \$750.00 for the 10-year inspection of the roof at city hall. Shepard seconded; motion carried.
- d) ANNUAL PURCHASE OF WATER METERS: The Mayor stated that the city has a proactive water meter project that replaces 50 water meters a year. The Maintenance Supervisor stated the alternate price is for the touchpad which is not needed because most are already installed or we have extras in stock. Heit made the motion to purchase 50 meters from Core & Main in the amount of \$6,675.00. Schmitt seconded; motion carried.
- e) REPAIR OF 2014 DODGE CHARGER – POLICE: The Mayor stated the Police Charger is having CV Axle assembly issues on three wheels as well as needing a new drive shaft. The City Clerk stated the amount of \$778.75 is an estimate of replacing the other three as well as the drive shaft. Schmitt made the motion to approve the repair of the 2014 Dodge Charger in the amount of \$800.00. Shepard seconded; motion carried.
- f) STREET AND ALLEY TRENCHING PERMIT CHANGE: Mayor Morrison stated there are two versions, one is the current and one is the proposed changes. The changes include filling the area with flowable fill and finish restoring the street with concrete. It was discussed that since the city's requirements have changed, that a change in the fee also be considered. It was further discussed to make the

proposed changes of decreasing the fee to \$50.00 for street trench, leave the alley trench at \$75.00, and adding the inspection language from the sewer tap permit, however, Council tabled the matter.

- g) PURCHASE OF BACKFLOW TEST KIT: The Maintenance Supervisor stated there are now three backflow sites and had Brandon Smith certified to test those. The kit is needed for him to perform that testing and the Maintenance Supervisor recommended the kit with the needle valve instead of the ball valve because it is more accurate. It was noted there is a 5-year warranty on the kit. Atchison made the motion to approve the purchase of the backflow test kit in the amount of \$578.99. Heit seconded; motion carried.
- h) TOUCH READ HANDHELD REPAIR OR REPLACEMENT: The City Clerk stated when they went to upload the touch read handheld for first of the month meter reads, it went down and are having to read manually this month. It was noted with the touch read system; it takes one person/one full day of reading compared to three in the past when meters were read manually. After further discussion, Council tabled the matter to obtain any warranty for the repair, a quote for a handheld with no GPS and camera; information for options regarding the meter reading wand if in need of replacement also, details if the city chose to trade-in the current equipment for new, and software requirements.

9. STAFF REPORTS:

- a) POLICE: Council received a copy of the Officer's report from January 20 to February 1, 2020.
- b) PUBLIC WORKS: Meters are in the process of being read, have approximately 220 manual reads left to do which will be done with the loaner handheld.

Two of the maintenance crew will be attending a water/wastewater math class tomorrow through KRWA to prepare Brandon Smith for testing in March.

Continue to work on filling the pot holes in town and focusing on the worst ones first.

Scheduled to paint the council room/downstairs next week.

- c) CITY CLERK: City Clerk stated it has been a busy week and the agenda items are pretty much her report and what she has been putting together.

10. COUNCIL/MAYOR COMMENTS AND REPORTS: Atchison stated he spoke with many of the ones in attendance this evening in public and had shared their same concerns. He stated he agrees that it would be best if individuals knocked on doors instead of the city because they would probably get farther, however, he would like to be one of the people with them when they do and volunteer his time.

Shepard stated that she lives by some of that, they are looking to move to a bigger house, and is kind of in the same boat as the people here tonight. She stated she is proud of her town and is on board to help in any way she can.

Mayor Morrison asked Atchison and Shepard if they are willing to be the community outreach for Council and they agreed they would be.

Mayor Morrison stated he looks forward to the process of cleaning up the community which includes budgeting a line item in the next budget for such expenses, step up enforcement, and working together with others.

11. EXECUTIVE SESSION: None.

12. ADJOURNMENT: Schmitt made the motion to adjourn to Monday, February 17, 2020 at 7:00 p.m. for regular meeting. Heit seconded; motion carried.

Respectfully submitted,

Julie Stutzman, CMC
Julie Stutzman, CMC
City Clerk

Approved by the governing body on February 17, 2020

Attest:

Julie Stutzman, CMC
Julie Stutzman, CMC
City Clerk

